

Serial No. 09/727,313
Attorney Docket No. 020533.0345 (2001P21474US)

REMARKS

Claim 57 has been canceled, and claims 31, 34, 36, 39, 41- 42, 45, 47-53, 55-56, 58, 61-62, 64-65, and 67 have been amended to put the claims into better condition for appeal by changing the claim language to better reflect the language in the specification.

In the Office Action Summary, line 4, it indicates that claim 63 is not pending; however, the Examiner addresses claim 63 as a 103 rejection within the office action. Applicants feel that this claim is still pending and address this claim in the following remarks.

Thus, claims 31-56, and 59-67 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to rejections under Sections 102:

Claims 31, 34-36, 39-44, 48-54, 58, 61-62, 64, 67 stand rejected under 35 U.S.C. 102(e), the Examiner contending that these claims are anticipated by Verma et al. (USPN 6,614,809). Applicants respectfully traverse the rejection.

Applicants' claimed invention as recited in amended in claims 31, 36, 49, 58, and 67 recite "encapsulat[ing a] point-to-point signal within a network address request header". The network address request header facilitates communication from a client that does not have a data channel address, (col 3. paragraph 29) by using a configuration protocol, for example a DHCP DISCOVER. A data channel address "may include, for example Internet Protocol addresses", (col 1. paragraph 2). Typically a DHCP DISCOVER message is broadcasted by a client to attempt to locate a DHCP server. Routers forward the broadcasted message without requiring a data channel address. By encapsulating a point-to-point signal within the network address request header, the point-to-point signal is sent during the broadcast to a tunneling server that is configured as a configuration server. Thus, the point-to-point signal is sent without requiring a data channel address.

In contrast, Verma et al. does not teach or suggest a point-to-point signal encapsulated in a network address request header. Verma et al. instead retrieves a next hop address and uses the next hop address in a Start-Control-Connection-Request message sent to initiate a tunnel connection (cols. 5-6 lines 64-12). Furthermore, Verma does not address sending a point-to-point signal without requiring a data channel address.

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In view of the above, Applicants submit that independent claims 31, 36, 49, 58 and 67 are patentable over Verma et al. Dependent claims 32-35, 37-48, 50-56, 59-66 are also patentable at least based on their dependence on the independent claims as well as based on their own merit. Therefore, Applicant respectfully request that the Examiner withdraw the Section 102 rejections.

Response to rejections under Sections 103:

Claims 32-33, 37-38, 45-47, 55-56, 59-60, 63, 65-66 stand rejected under 35 U.S.C. 103(a), the Examiner contending that these claims are obvious over Verma et al. (USPN 6,614,809) in view of Gai et al. (USPN 6,697,360).

Neither Verma et al. nor Gai teaches or suggests "encapsulat[ing a] point-to-point signal within a network address request header" as recited by the amended claims 31, 36, 49, 58, and 67. Accordingly, for the same reasons as discussed above, Applicants respectfully request the withdrawal of the rejection of claims 32-33, 37-38, 45-47, 55-56, 59-60, 63, and 65-66.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to char any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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